

PB# 95-32

**PAT'S BETTER PIZZA
(WITHDRAWN)**

69-2-10

95 - 32

PAT'S BETTER PIZZA S.P. AMENDEMENT
RT. 32 (BARBIERI) CANOPY

Withdrawn 6/7/96

MADE IN U.S.A.
© Wilson Jones, 1989

NEW WINDSOR, N.Y. 12551

DATE 11-6-95 RECEIPT NUMBER 95-32
 RECEIVED FROM K & A Savory Corp.
 Address P.O. Box 34 - Vails Gate, N.Y. 12584
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
 FOR Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750.00	CASH	
AMOUNT PAID	750.00	CHECK #	1606
BALANCE DUE	-0-	MONEY ORDER	

BY A. Zappala
Theresa Mason, Secy to the P.B.

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12550

GENERAL RECEIPT

1511

Nov 8 19 95

Received of K & A Savory Corp. \$ 100.00
One Hundred 00/100 DOLLARS

For P.B. # 95-32

DISTRIBUTION

FUND	CODE	AMOUNT
C.R. # 1605		100.00

By Dorothy H. Hansen

Town Clerk

Title

ACCOUNT			HOW PAID		
BEGINNING BALANCE	750.00		CASH		
AMOUNT PAID	750.00		CHECK #	1606	
BALANCE DUE	-0-		MONEY ORDER		

BY

S. Zappala
Myra Mason, Secy to the P.B.

TOWN OF NEW WINDSOR
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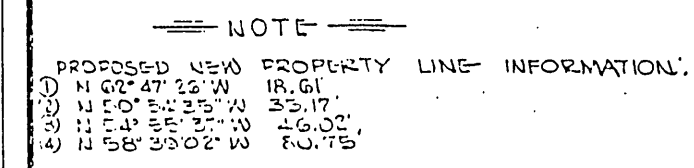
By

Dorothy H Hansen

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Title

6/7/96
 Cmg.
 JH 110.50

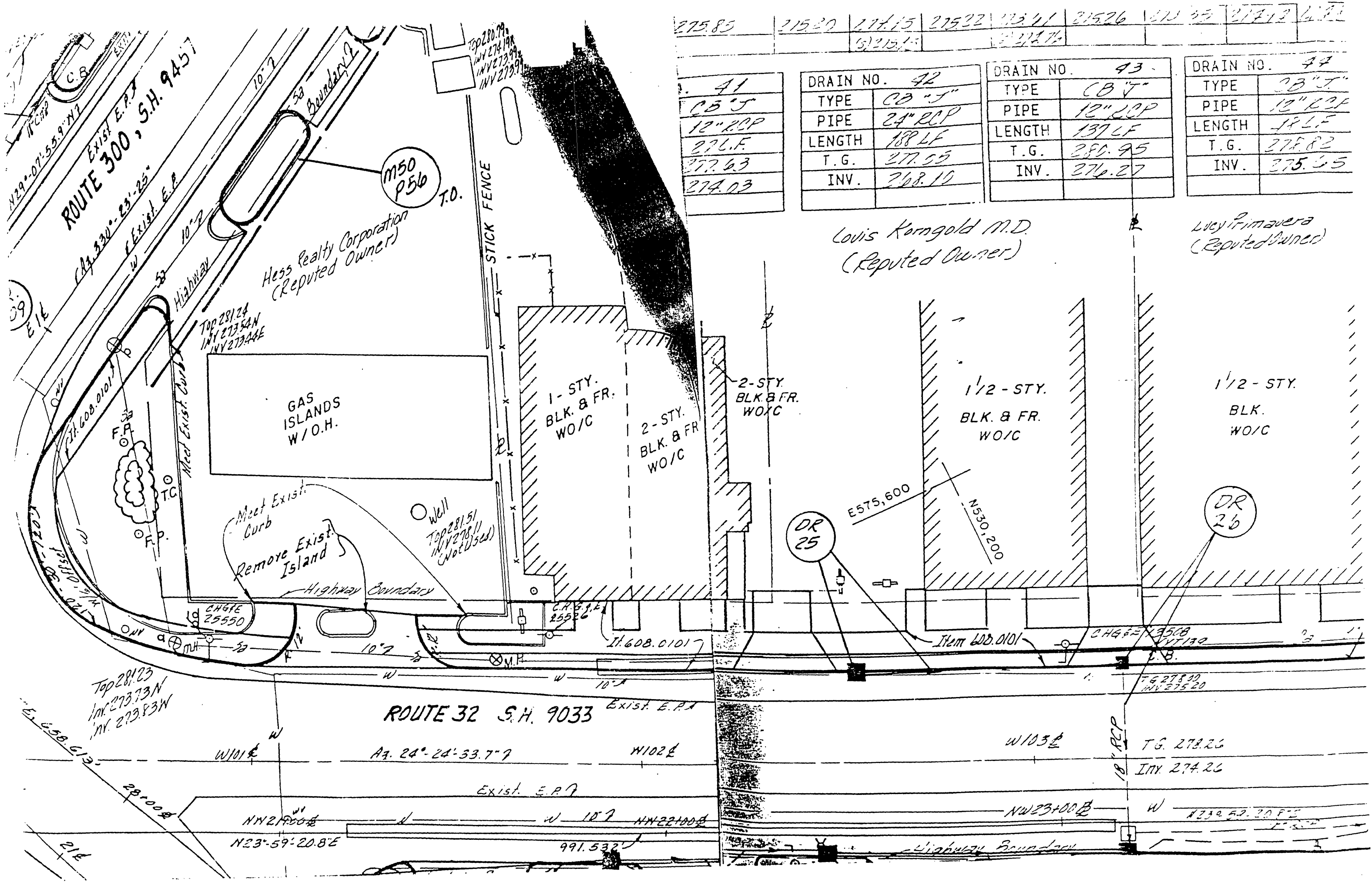


- Bldey Face to property line

where are sidewalks in relation to Blvd
+ Set back from DOT line
TAKEN SI

254 KITTLE JR., N.Y. P.L.S. 45031
RTE-17K NEWBROUGH, N.Y. (D14) 562 0043

TOWN OF NEW WINSDON, ORANGE CO. NEW YORK				
REVISIONS		SOLICIT FOR	ISSUED	PAID FOR (FEE)
			EXAM	
		WILLIAM A. YOUNGS AND JOHANNA A. YOUNGS	EXAMINED	
			APPROVED	



275.85	215.20	274.15	275.22	273.11	215.26	273.35	274.12	274.12
		(5) 215.15		(5) 274.74				

41	DRAIN NO. 42	DRAIN NO. 43	DRAIN NO. 44
CB 5"	TYPE CB 5"	TYPE CB 5"	TYPE 38" T"
12" RCP	PIPE 24" RCP	PIPE 12" RCP	PIPE 12" RCP
276.15	LENGTH 188 LF	LENGTH 137 LF	LENGTH 18 LF
277.63	T.G. 277.55	T.G. 280.95	T.G. 275.82
274.03	INV. 268.10	INV. 276.27	INV. 275.65

Louis Korngold M.D.
(Reputed Owner)

Lucy Primavera
(Reputed Owner)

ROUTE 32 S.H. 9033



Awnings Of Distinction
By
MacMillan Industries

568 State Route 32
New Windsor, N.Y. 12553

(914)565-3975
(914)534-4321
Fax 534-4726

November 3, 1995

Town of New Windsor
555 Union Avenue
New Windsor Planning Board
New Windsor, N. Y. 12553

Gentlemen:

Proposal for Application of Canopy with Drop Curtains

MacMillan Industries, Awnings of Distinction, proposes to fabricate and install welded steel structure 30' wide across the front of building, out 8' from face. Structure to be bracketed to existing fascia with zee brackets and lags with vinyl fabric cover tracked and laced; with 1" round galvanized steel uprights as supports; in addition, seasonal drop curtains to be installed for winter months (see illustration) to control discomfort of cold air assulting diners each time exterior door is opened.

Furthermore, as seen from photos (see attached), commerical visibility is severely inhibited from pre-existing signage from neighboring commercail businesses.

Mr. Cetta, proprietor of Pat's Better Pizza, is concerned not only for visibility, but for protection to his customers from the winter cold as diners enter and exit with seating in such close proximaty to the entrance. As well, the addition of an artistically designed and fabricated canopy would add to the demeanor of the district.

Respectfully,

MACMILLAN INDUSTRIES

Lawrence Barbieri



Awnings Of Distinction
By
MacMillan Industries

568 State Route 32
New Windsor, N.Y. 12553

(914)565-3975
(914)534-4321
Fax 534-4726

October 24, 1995

Phone 563-4698
Fax 563 4693

Town of New Windsor
555 Union Avenue
Building Inspector
New Windsor, N. Y. 12553

Attn: Ernie

As per our phone conversation this morning, please take a quick look at this illustration and let me know ASAP what you think.

Meanwhile, I will stop by to pick up a permit to bring to Pat's Better Pizza and fill out with Mr. Cetta.

The awning will have minimal graphics and will be taking the place of his existing fascia signage; it will have UL damp location, exterior rated fluorescent fixture mounted in structure to illuminate.

Thank you,

Lawrence Barbieri

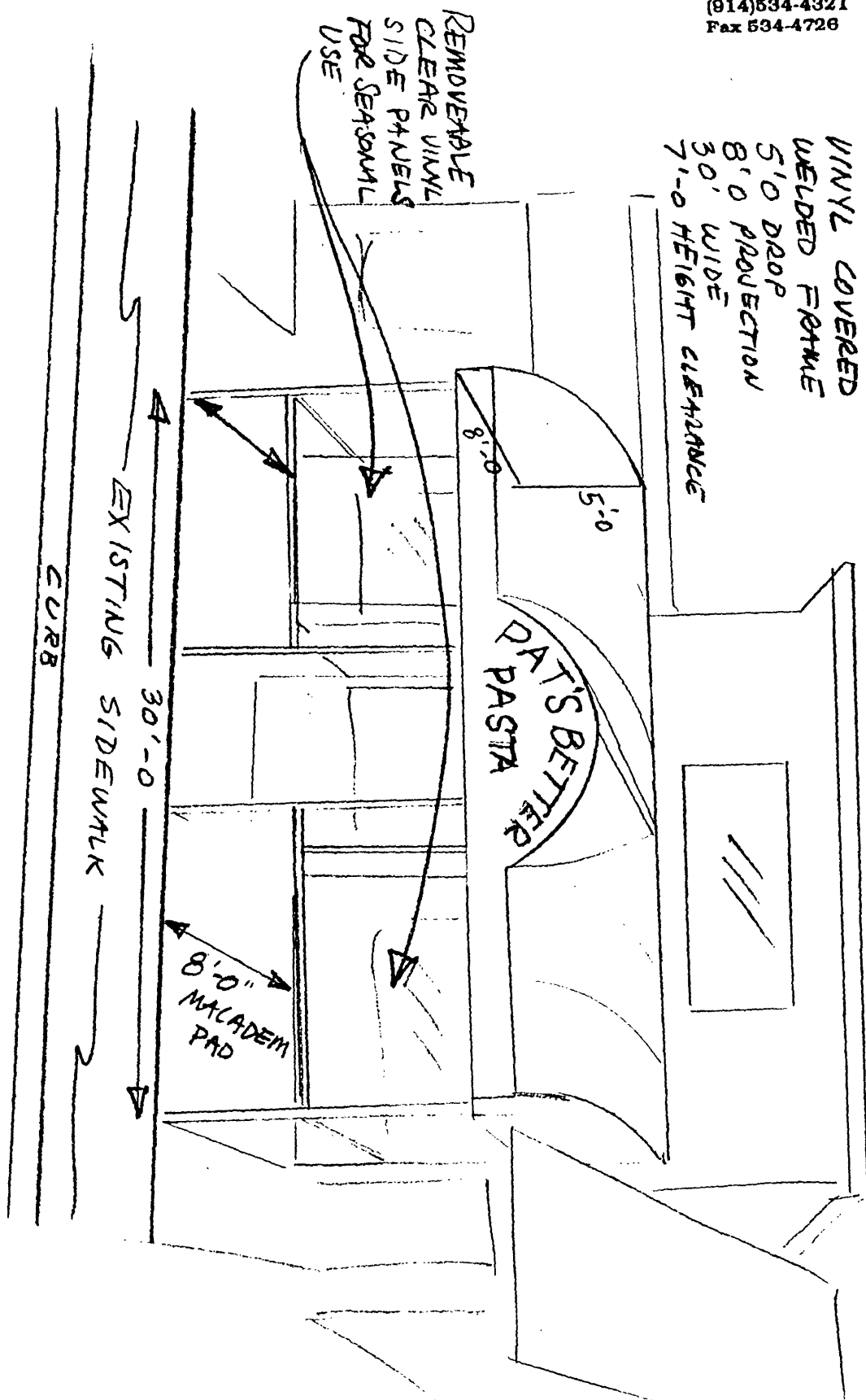


Awnings and Enclosures

By
MacMillan Industries

568 State Route 32
New Windsor, N.Y. 12553

(914) 565-3975
(914) 534-4321
Fax 534-4726





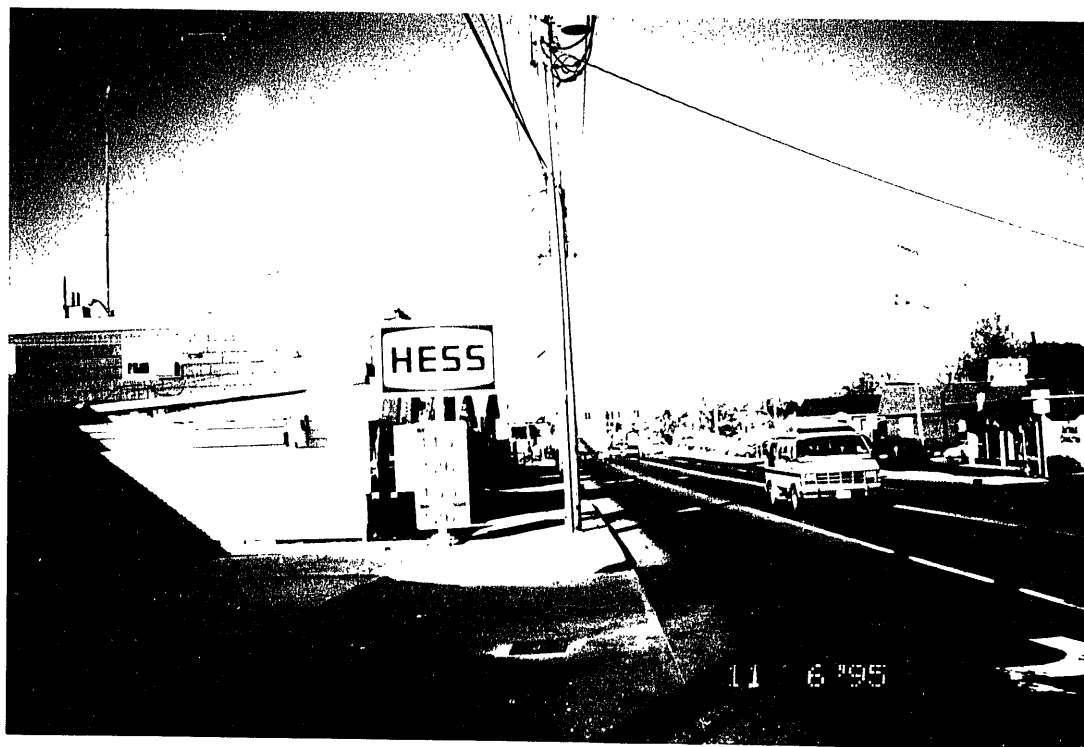
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PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/07/96

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 95-32

NAME: PAT'S BETTER PIZZA AMENDED SITE PLAN

APPLICANT: CETTA, PAT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/06/95	RECEIVED CK #1606	PAID		750.00	
11/08/95	P.B. ATTY. FEE	CHG	35.00		
11/08/95	P.B. MINUTES	CHG	27.00		
06/05/96	P.B. ENGINEER FEE	CHG	110.50		
06/07/96	RET. TO APPLICANT	CHG	577.50		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in
the amount of \$577.50 to:*

*K & A Savvy Corp.
P.O. Box 34
Vails Gate, N.Y. 12584*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/11/96

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
W [Disap, Appr]

FOR PROJECT NUMBER: 95-32

NAME: PAT'S BETTER PIZZA AMENDED SITE PLAN
APPLICANT: CETTA, PAT

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/07/96	REC. LETTER OF WITHDRAWAL	WITHDRAWN APPLICAT.
11/08/95	PLANNING BOARD APPEARANCE	REFERRED TO Z.B.A.
	. NEED LETTER OF APPROVAL FROM D.O.T. - NOTE NO ADDITIONAL	
	. SEATING	
11/01/95	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/08/95

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 95-32

NAME: PAT'S BETTER PIZZA AMENDED SITE PLAN
APPLICANT: CETTA, PAT

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	11/08/95	MUNICIPAL FIRE	/ /	

Pat Cetta
% Sparks' Steak House
210 E. 46th Street
New York, N. Y. 10017

February 20, 1996

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, N. Y. 12553

Attn: Myra Mason

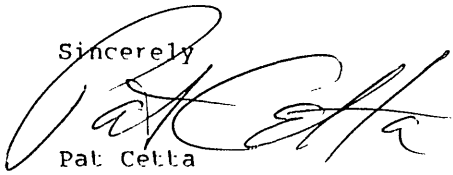
Gentlemen:

Please be advised, I am herein withdrawing my application to the Planning Board and ZBA for a variance to install an entrance canopy at 420 Windsor Highway, Vails Gate. (Pat's Better Pizza).

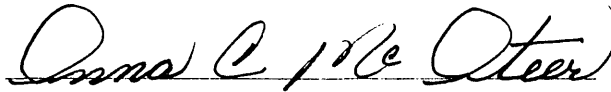
Please be so kind as to refund any application fees & monies held in escrow to me.

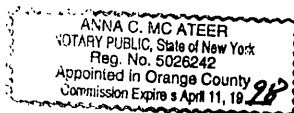
Thank you for your time and consideration.

Sincerely


Pat Cetta

Notarized by





95-32

MEMORANDUM FOR FILE

DATE: 2-8-96

On this date: I spoke to Larry Barbere to remind him to send me a letter to withdraw this application. He said he can't get a final answer from the applicant. I asked him to check again and please drop me a note for the file to advise what the intentions are. - He said he would.

m

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 95-32

DATE: 6 DEC '95

APPLICANT: PAT CETTA

420 WINDSOR HWY

VAILE GATE, N.Y. 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7 NOV 95

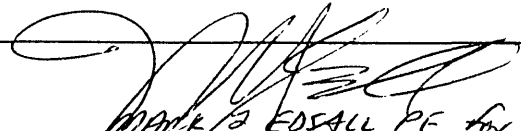
FOR (~~SUBDIVISION~~) - SITE PLAN) _____

LOCATED AT WEST SIDE RT 32, 30' +/- NORTH
OF FIVE CORNERS ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 69 BLOCK: 2 LOT: 10

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

FRONT YARD SETBACK IN CONNECTION WITH PROPOSED
AWNING.


MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u>	USE <u>A-26</u>		
MIN. LOT AREA	<u>40,000 SF</u>	<u>NO CHANGE</u>	
MIN. LOT WIDTH	<u>200 FT</u>	<u>NO CHANGE</u>	
REQ'D FRONT YD	<u>60 FT</u>	<u>0</u>	<u>60 FT.</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>NO CHANGE</u>	
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>NO CHANGE</u>	
REQ'D REAR YD.	<u>30 FT</u>	<u>NO CHANGE</u>	
REQ'D FRONTAGE	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
MAX. BLDG. HT.	<u>6' FT</u>	<u>NO CHANGE</u>	
FLOOR AREA RATIO	<u>0.5</u>		
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
DEV. COVERAGE	<u>N/A</u> %	<u>N/A</u> %	<u>N/A</u> %
O/S PARKING SPACES	<u>1/3 seats</u>	<u>NO CHANGE</u>	

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

REGULAR ITEMS:

PAT'S BETTER PIZZA SITE PLAN (95-32) RT. 32

Mr. Barbieri appeared before the board for this proposal.

MR. BARBIERI: This is a simple request only for a temporary seasonal enclosure on the front of his building with a canopy to take the place of the sign that is mounted on the fascia. He would have been interested to know what the other item on the agenda was for tonight as well.

MR. DUBALDI: This is just for an awning?

MR. BARBIERI: Yes, that is all very simple.

MR. VAN LEEUWEN: In the front or the rear?

MR. BARBIERI: Yes, in the front.

MR. VAN LEEUWEN: You don't have enough room.

MR. BARBIERI: That is what we're here tonight to try to discuss. We have 17 feet to the curb from the front of the building, the pre-existing survey indicated that there was about 30 feet of property frontage, the DOT map shows differently. I don't know what the ramifications are with the DOT, the dotted line showing the front of the building as the DOT line as well. He needs an enclosure on the front of the building to control cold air as it goes into his restaurant. There's very limited space there, his application is for a temporary enclosure seasonal in nature with temporary uprights that would be planted into the ground eight feet from the face of the building in the macadam area that does not infer with the sidewalk which is a 9 foot sidewalk out to the inner side of the curb.

MR. VAN LEEUWEN: Can I say something to this board? We've got to be careful we don't set a precedent, we don't have anything like this, this in this town yet but that is one thing we're going to be doing.

MR. PETRO: It's not a bad idea though, Henry.

MR. VAN LEEUWEN: I didn't say I disagree. I just said you might be setting a precedent here if you do this.

MR. PETRO: I think that and your comment is well taken so what we should do is make sure if he does want to go to the Zoning Board, we should let him know what we're going to be looking for when he comes back, that is one of Mark's comments, namely like if there's going to be seating, if it is going to increase the parking requirements, lots of information.

MR. VAN LEEUWEN: He is going to make a terrace in the summertime, am I correct?

MR. BARBIERI: That may be something he'd want to consider in the future. I can't speak for him at this point. However, his immediate concern is to have an air barrier which he can heat so that every time someone enters the dining room with tables directly inside the doorway that they are not blasted with the cold air.

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parking problem.

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MR. DUBALDI: Is this entirely going to be on your property or--

MR. PETRO: It maybe on DOT.

MR. BARBIERI: I went to speak to DOT, their indication was that whatever the planning board decides they'd go along with.

MR. PETRO: We need a letter for our file.

MR. EDSALL: Just a little bit more unique than what we normally deal with, it would appear that and again I don't have dimensioned drawings that show me property lines dimensioned from the building, but it would appear that the property line prior to the taking would have resulted in this canopy being on their property but still requiring a variance because of setback. It looks as if the newest taking results in the fact that this canopy would be not only extend beyond what would be allowed based on the zoning but in fact it would be extending onto DOT property. So you need a lot more than just a letter. You need some type of I'm sure memorialize arrangement because it's going to be an encroachment into DOT right-of-way. So my suggestion would be is to go over whatever you want to as far as layout and maybe let them know that at this point, you're dealing with just an awning and if they wanted to put any cafe style seating, it's a separate whole different application, separate issue and then pass it to the ZBA cause the ZBA may find that they cannot grant variances of the property as it may be, may in fact may not be able to consider it.

MR. KRIEGER: When you say the DOT right-of-way, would this be on property owned by them over which the DOT has a right-of-way or would it be property--

MR. EDSALL: It appears that when I use the word taking, I meant--

MR. KRIEGER: Is it owned by DOT or is it--

MR. EDSALL: I don't have a survey that I can answer you absolutely positively but when I said the word taking, I think I meant taking, DOT has taken that property.

MR. KRIEGER: The concern is that they may be and again that is not information to resolve it but the concern is that they may be erecting a structure or placing the awning whatever over property which may have once belonged to them but which no longer belongs to them, happens to belong to DOT.

MR. EDSALL: I don't know that that is something we can deal with here so in my view, it might be something the ZBA can look at.

MR. STENT: This is just for an application for an awning, nothing in here about any drop curtains or drains coming down.

MR. EDSALL: The sketch I believe has that.

MR. BARBIERI: It's indicated in the illustration that there are drop curtains.

MR. PETRO: We'll make sure that there's no seating that would be another.

MR. DUBALDI: There's no footings.

MR. BARBIERI: No.

MR. EDSALL: Are those just as they are conventionally seen in the city style arrangement where it's aluminum posts that is basically anchored into the pavement.

MR. BARBIERI: Actually it's galvanized steel but yes, that is true.

MR. PETRO: Normally, when we send an applicant to the

zoning board we usually send them with our blessings so to speak, okay, I want to withhold that judgment as a board. I think until maybe we should hear from the zoning board first of all if it's absolutely not possible it becomes a moot point, we don't have to think about it any further. Also I'd like to see some input from the zoning board.

MR. VAN LEEUWEN: It has to go to the zoning board.

MR. PETRO: What I am saying is--

MR. KRIEGER: Send it without comment of any kind.

MR. PETRO: What I am suggesting as I told the applicant we normally send it there with our blessing, we're going to withhold that judgment, send it there with no comment to see what they come up with. I'll say in the minutes that the zoning board can take note and Andy, you can probably remind them that this does not absolutely does not include seating inside this awning at all, we're not going to be reviewing that at all.

MR. KRIEGER: I might say if I may Mr. Chairman cause I happen to be the attorney for the zoning board as well. This concern over whether or not the awning will extend onto DOT's property will have to be, right now we talk about it in terms of theory and and forth before any action by the zoning board, whatever that action may be, this is going to have to be defined and it's going to have to be definite yes, no, because if it turns out that any portion of this proposed awning structure whatever is on DOT's property, it is potentially problematic.

MR. VAN LEEUWEN: I see one problem with it already, it's going to take away the visibility, Hess has a sign they are going to complain about that, that is going to come up.

MR. DUBALDI: Whose sign?

MR. VAN LEEUWEN: Hess.

MR. BARBIERI: Hess' sign actually is out towards the curb a good deal further than the proposed canopy.

MR. PETRO: Let's send it there and see what they have to say. We'll get it back. Follow what I am saying?

MR. BARBIERI: Yes, I do.

MR. PETRO: Motion to approve?

MR. DUBALDI: So moved.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded to approve the Pat's Better Pizza site plan on Route 32. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	NO
MR. DUBALDI	NO
MR. PETRO	NO

MR. PETRO: You have been sent to the zoning board for the necessary variances that you may need. Once you have acquired those and they are put on the plan, you can check with Myra, we'll put you back on the agenda for this board and we'll further review it at that time.

MR. BARBIERI: Thank you for your time.

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MR. BARBIERI: Actually it's galvanized steel but yes, that is true.

MR. PETRO: Normally, when we send an applicant to the

zoning board we usually send them with our blessings so to speak, okay, I want to withhold that judgment as a board. I think until maybe we should hear from the zoning board first of all if it's absolutely not possible it becomes a moot point, we don't have to think about it any further. Also I'd like to see some input from the zoning board.

MR. VAN LEEUWEN: It has to go to the zoning board.

MR. PETRO: What I am saying is--

MR. KRIEGER: Send it without comment of any kind.

MR. PETRO: What I am suggesting as I told the applicant we normally send it there with our blessing, we're going to withhold that judgment, send it there with no comment to see what they come up with. I'll say in the minutes that the zoning board can take note and Andy, you can probably remind them that this does not absolutely does not include seating inside this awning at all, we're not going to be reviewing that at all.

MR. KRIEGER: I might say if I may Mr. Chairman cause I happen to be the attorney for the zoning board as well. This concern over whether or not the awning will extend onto DOT's property will have to be, right now we talk about it in terms of theory and and forth before any action by the zoning board, whatever that action may be, this is going to have to be defined and it's going to have to be definite yes, no, because if it turns out that any portion of this proposed awning structure whatever is on DOT's property, it is potentially problematic.

MR. VAN LEEUWEN: I see one problem with it already, it's going to take away the visibility, Hess has a sign they are going to complain about that, that is going to come up.

MR. DUBALDI: Whose sign?

MR. VAN LEEUWEN: Hess.

MR. BARBIERI: Hess' sign actually is out towards the curb a good deal further than the proposed canopy.

MR. PETRO: Let's send it there and see what they have to say. We'll get it back. Follow what I am saying?

MR. BARBIERI: Yes, I do.

MR. PETRO: Motion to approve?

MR. DUBALDI: So moved.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded to approve the Pat's Better Pizza site plan on Route 32. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. STENT	NO
MR. DUBALDI	NO
MR. PETRO	NO

MR. PETRO: You have been sent to the zoning board for the necessary variances that you may need. Once you have acquired those and they are put on the plan, you can check with Myra, we'll put you back on the agenda for this board and we'll further review it at that time.

MR. BARBIERI: Thank you for your time.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: PAT'S BETTER PIZZA SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
SECTION 69-BLOCK 2-LOT 10
PROJECT NUMBER: 95-32
DATE: 8 NOVEMBER 1995
DESCRIPTION: THE APPLICATION INVOLVES A PROPOSED COMMERCIAL
AWNING FOR THE EXISTING RESTAURANT ON ROUTE 32.

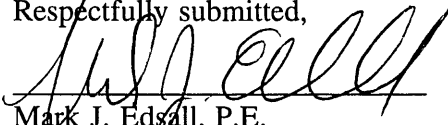
1. Based on the sketch submitted with the application, it is my understanding that the Applicant proposes a 30' wide x 8' awning for the front of the restaurant. It is my understanding that this awning would extend out to an existing double wide concrete sidewalk installed by the NYSDOT as part of their highway improvements. This awning would cover the asphalt (blacktop) area between this concrete sidewalk and the building face.
2. The property is located within the Design Shopping (C) Zoning District. The existing use is Use A-26 in the Zone, which has a required front yard depth requirement of sixty (60) feet. It is clear that this building as it currently exists does not comply with this requirement. The addition of the building awning structure will increase the non-compliance for this front yard setback. As such, it is necessary that this application be referred to the Zoning Board of Appeals for review and action.
3. A preliminary review of the information submitted with the application indicates the possibility that the highway boundary (right-of-way line) exists virtually at the front face of this building. If this is the case, the proposed awning would extend onto the NYSDOT right-of-way. The Board and the Planning Board Attorney may wish to discuss whether this encroachment could receive Planning Board approval, obviously with the understanding that written approval from the NYSDOT must be obtained.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: PAT'S BETTER PIZZA SITE PLAN
PROJECT LOCATION: NYS ROUTE 32
SECTION 69-BLOCK 2-LOT 10
PROJECT NUMBER: 95-32
DATE: 8 NOVEMBER 1995

4. The Planning Board should discuss, with the Applicant, the level of detail required for the site plan resubmittal, should they be successful with the Zoning Board of Appeals and New York State Department of Transportation regarding acceptance of the proposed awning addition.
5. I will be pleased to provide further reviews of this application in the future, as deemed appropriate by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:PATS.mk

RESULTS OF P.B. MEETING

DATE: November 8, 1995

PROJECT NAME: Pat's Better Pizza PROJECT NUMBER 95-32

LEAD AGENCY:

* NEGATIVE DEC:

M)___ S)___ VOTE:A___ N___

* M)___ S)___ VOTE:A___ N___

CARRIED: YES___ NO___

* CARRIED: YES:___ NO___

PUBLIC HEARING: M)___ S)___ VOTE:A___ N___

WAIVED: YES___ NO___

SEND TO OR. CO. PLANNING: M)___ S)___ VOTE:A___ N___ YES___ NO___

SEND TO DEPT. OF TRANSPORT: M)___ S)___ VOTE:A___ N___ YES___ NO___

DISAPP: REFER TO Z.B.A.: M) D S) ✓ VOTE:A 4 N 0 YES ✓ NO___

RETURN TO WORK SHOP: YES___ NO___

APPROVAL:

M)___ S)___ VOTE:A___ N___ APPROVED:___

M)___ S)___ VOTE:A___ N___ APPR. CONDITIONALLY:___

NEED NEW PLANS: YES___ NO___

DISCUSSION/APPROVAL CONDITIONS:___

Need letter from D.O.T. - Need approval from D.O.T.

No additional seating at this time



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 1 Nov 95

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: Yes → later Full App for next
Pat's Better Pizza 1/3 sub for ZBA
referral

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Larry Barbieri (McMillan Industries) Awnings

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

want to put canopy and side panel end
as new entryway to Pat's Better Pizza

He needs to go to DOT and get survey
to show pt and spw in relationship
to bldg.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

17 TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Chg. _____ Site Plan ☒ Spec. Permit ☒

1. Name of Project PAT'S BETTER PIZZA
2. Name of Applicant PAT CETTA Phone 561 9000
Address 420 WINDSOR HIGHWAY VAULTS GATE NY 12584
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record Same Phone _____
Address Same
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan LAURENCE BARBIERI / McMILLAN (IND.)
Address 568 Rte 32 NEW WINDSOR NY 12553
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney HOWARD KAVE Phone 562-1234
Address Rte 94 VAULTS GATE NY 12584
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting LAURENCE BARBIERI Phone 534 4321
(Name)
7. Project Location: On the WEST side of Rt 32
(street)
30 feet NORTH of Intersecting Rt. 207
(direction) (street)
8. Project Data: Acreage of Parcel 143' x 64.9' Zone C,
School Dist. NEWBURGH
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N NO

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 69 Block 2 Lot 10

11. General Description of Project: ADDITION OF FACIA MOUNTED
ARCHED CANOPY WITH SEASONAL DROP CURTAINS FOR WEATHER
CONTROL

12. Has the Zoning Board of Appeals granted any variances for
this property? yes ✓ no.

13. Has a Special Permit previously been granted for this
property? yes ✓ no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the
property owner, a separate notarized statement from the owner
must be submitted, authorizing this application.

STATE OF NEW YORK)

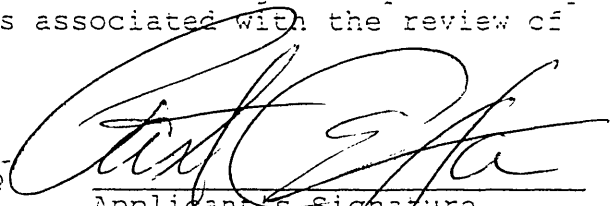
SS.:

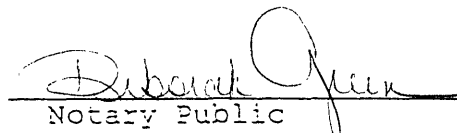
COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and
states that the information, statements and representations
contained in this application and supporting documents and
drawings are true and accurate to the best of his/her knowledge
and/or belief. The applicant further acknowledges responsibility
to the Town for all fees and costs associated with the review of
this application.

Sworn before me this

7th day of November 1995


Applicant's Signature


Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

TOWN USE ONLY:

Date Application Received

Application Number

PROJECT I.O. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT (SPONSOR) PAT CETTA	2. PROJECT NAME CANOPY / PAT'S BETTER PIZZA
3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 420 WINDSOR HWY 85 NORTH OF TEMPLEHILL RD ON THE WEST SIDE OF RT 32	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: FABRICATE + INSTALL CANOPY TO FACIA OF BUILDING W/ APPLICATION OF SEASONAL DROP CURTAINS FOR WEATHER CONTROL	
7. AMOUNT OF LAND AFFECTED: 30' X 8' Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: PAT CETTA Date: 6 Nov 95	
Signature: Lawrence Babin for Pat Cetta	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 8 NYCRR, PART 817.127 If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 8 NYCRR, PART 817.87 If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
Additions of artistically fabricated + installed canopy will add considerably to aesthetic value of surrounding business community

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
Only to the extent that this application will enhance Mr. Cetta's ability to serve his customers better

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
None

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly.
None

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Pat Cetta / Pat's Better Pizza
 Name of Lead Agency

PAT CETTA
 Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Title of Responsible Officer

Lawrence Baubren
 Signature of Preparer (if different from responsible officer)

Signature of Preparer (if different from responsible officer)

6 Nov 95
 Date

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

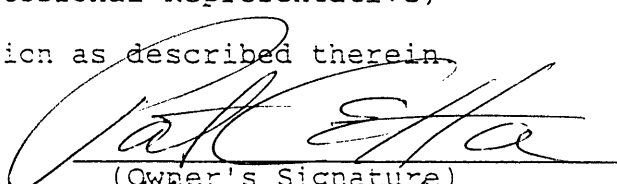
PAT CETTA, deposes and says that he
(Applicant)
resides at 161 VANSER RD, PINE BUSH
(Applicant's Address)
in the County of ULSTER
and State of NEW YORK
and that he is the applicant for the _____

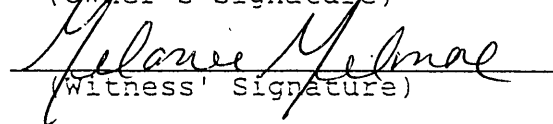
(Project Name and Description)

which is the premises described in the foregoing application and
that he has authorized LAURENCE BARBIER / MTC MULLAN INC.
(Professional Representative)

to make the foregoing application as described therein.

Date: 3 NOV 95


(Owner's Signature)


(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

EC01624

"XX"

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

NOT IN A FLOOD ZONE
L.P. Bamber